

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATIONAL RAILROAD PASSENGER
CORPORATION,

Plaintiff,

- vs -

14 Civ. 14-cv-7510 (JSR)

ARCH SPECIALTY INSURANCE COMPANY;
ASPEN SPECIALTY INSURANCE COMPANY;
COMMONWEALTH INSURANCE COMPANY;
FEDERAL INSURANCE COMPANY;
LEXINGTON INSURANCE COMPANY;
LIBERTY MUTUAL FIRE INSURANCE COMPANY;
CERTAIN UNDERWRITERS AT LLOYD'S
OF LONDON and CERTAIN LONDON MARKET
COMPANIES Subscribing to Policy Nos.
507/N11NA08240, 507/N11NA08241, 507/N11NA08242,
507/N11NA08244, 507/N11NA08244,
507/N11NA08245 and GEP 2944; MAIDEN
SPECIALTY INSURANCE COMPANY;
MAXUM INDEMNITY COMPANY;
NAVIGATORS INSURANCE COMPANY; PARTNER
REINSURANCE EUROPE plc; RSUI INDEMNITY
COMPANY; STEADFAST INSURANCE COMPANY;
TORUS SPECIALTY INSURANCE COMPANY; and
WESTPORT INSURANCE CORPORATION,

STIPULATION AND ORDER OF
SUBSTITUTION OF COUNSEL

Defendants.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned and pursuant to Local Civil Rule 1.4, that the law firm Mound Cotton Wollan & Greengrass LLP hereby is substituted in place of the law firm Bruckmann & Victory, LLP as counsel of record for Defendant Aspen Specialty Insurance Company. A supporting declaration is attached hereto pursuant to Local Civil Rule 1.4.

PLEASE TAKE NOTICE that all pleadings, notices of hearing, and all other filings in this matter should be served upon the following incoming counsel:

Costantino P. Suriano (csuriano@moundcotton.com)
Bruce R. Kaliner (bkaliner@moundcotton.com)
Deanna M. Manzo (dmanzo@moundcotton.com)
Mound Cotton Wollan & Greengrass LLP
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(212) 804-4200

Dated: May 1, 2018

BRUCKMANN & VICTORY, LLP

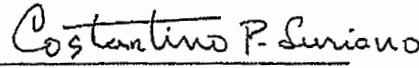
By:



Timothy G. Church, Esq.
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Outgoing Attorneys for Defendant
Aspen Specialty Insurance Company

MOUND COTTON WOLLAN &
GREENGRASS LLP

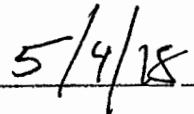
By:



Costantino P. Suriano, Esq.
Bruce R. Kaliner, Esq.
Deanna M. Manzo, Esq.
One New York Plaza
New York, NY 10004
Incoming Attorneys for Defendant
Aspen Specialty Insurance Company

SO ORDERED:


The Honorable Jed S. Rakoff



, 2018

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
NATIONAL RAILROAD PASSENGER
CORPORATION,

Plaintiffs,

- vs -

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ARCH SPECIALTY INSURANCE COMPANY;
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COMPANY; STEADFAST INSURANCE COMPANY;
TORUS SPECIALTY INSURANCE COMPANY; and
WESTPORT INSURANCE CORPORATION,

**DECLARATION PURSUANT TO
LOCAL RULE 1.4**

Defendant.

-----X
I, Costantino P. Suriano, declare as follows:

1. I am an attorney at law in good standing of the Bar of the State of New York and of this Court. I am a partner of the law firm of Mound Cotton Wollan & Greengrass LLP.
2. This declaration is submitted in support of the Stipulation and Order substituting Mound Cotton Wollan & Greengrass LLP ("Mound Cotton") for the law firm Bruckmann & Victory, LLP as counsel of record for Defendant, Aspen Specialty Insurance Company ("Aspen").
3. Mound Cotton represented Aspen in this matter in the Second Circuit after this matter was sent up on appeal. Aspen has requested that Mound Cotton continue representing

Aspen in this Court in any further proceedings. Aspen has been served with this application and has consented to the withdrawal of Bruckmann & Victory, LLP. Bruckmann & Victory, LLP, the withdrawing counsel, has signed the accompanying Stipulation and Order.

4. The substitution of counsel will not unnecessarily delay this action or prejudice any party. The case is currently on the Court's suspense docket. A Joint Status Report was submitted on May 1, 2018 and requested a status conference in 45 days from that date.

5. Withdrawing counsel is not asserting a retaining or charging lien.

6. A copy of this application is being served upon all counsel of record via e-mail and first class mail.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 2, 2018

/s/ Costantino P. Suriano

Costantino P. Suriano

CERTIFICATION OF SERVICE

The undersigned hereby certifies that on the 2nd day of May 2018, the foregoing Stipulation and Order of Substitution of Counsel, along with the supporting Declaration Pursuant to Local Rule 1.4, was served electronically upon all counsel of record via e-mail and first class mail.

Dated: New York, New York
May 2, 2018

/s/ Costantino P. Suriano
Costantino P. Suriano